

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MAVIS CALDWELL,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

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CIVIL ACTION NO. 2:19-CV-00077

**DEFENDANT BANK OF AMERICA'S
RULE 26(a)(1)(A) INITIAL DISCLOSURES**

Defendant Bank of America, N.A. ("Defendant" or "BANA") makes the following Initial Disclosures pursuant to Fed. R. Civ. P. 26:

RESERVATIONS

1. These disclosures are based upon information reasonably available to BANA as of this date, and may be altered based on discovery and/or BANA's continuing investigation. Accordingly, BANA reserves the right to amend and/or supplement these disclosures if additional information becomes available.

2. By making these disclosures, BANA does not represent that any particular document exists within its possession, custody or control.

3. These disclosures are made without waiver of, or prejudice to, any rights or objections BANA may have.

4. BANA expressly reserves the right to identify and call as witnesses additional persons other than those listed below, if, during the course of discovery and investigation, Defendant learns that additional persons have knowledge of relevant matters.

5. These disclosures are made subject to and without limiting any of the foregoing reservations. BANA makes these disclosures based upon the belief that an appropriate confidentiality order and rational production limitations can and will be agreed upon by counsel at an appropriate time, should they become necessary.

RULE 26 DISCLOSURES

1. **Rule 26(a)(1)(A)(i).** The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Defendant believes at present the following individuals have discoverable information about the subject matter of this litigation and may provide testimony that BANA may use for support in this case:

Names	Contact Information	Subjects of Information
Corporate Representative or Custodian of Records for Bank of America, N.A. <i>Defendant</i>	c/o Matthew Durham MCGUIREWOODS LLP 2000 McKinney Avenue Suite 1400 Dallas, Texas 75201 Telephone: 214.932.6400	Knowledge of the creation and servicing of the accounts at issue in this lawsuit, as well as documents related to the account.
Mavis Caldwell <i>Plaintiff</i>	c/o Nathan C. Volheim Taxiarchis Hatzidimitriadis SULAIMAN LAW GROUP, LTD 2500 South Highland Ave. Suite 200 Lombard, Illinois 60148 Telephone: (630) 568-3056 Telephone: (630) 581-5858	Knowledge of facts allegedly supporting all claims.
Any person or entity identified by plaintiffs or identified in discovery, including depositions and documents produced.		

2. **Rule 26(a)(1)(A)(ii).** A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

BANA's description by category of its Rule 26(a)(1)(A)(ii) disclosures is as follows:

- BANA's business records relating to the account at issue (copies of these non-privileged documents will be made available for inspection and/or copying);

c/o Matthew Durham
MCGUIREWOODS LLP
2000 McKinney Avenue, Suite 1400
Dallas, Texas 75201

- the docket and all pleadings filed in Case No. 2:19-CV-00077 in the United States District Court for the Southern District of Texas – Corpus Christi Division.

c/o Clerk of the Court
U.S. District Clerk's Office
1133 N. Shoreline Blvd.
Corpus Christi, TX 78401

3. **Rule 26(a)(1)(A)(iii).** A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Nothing to be disclosed at this time. BANA's investigation is continuing, and if there are any required disclosures under this category they will be disclosed via supplementary disclosures under Fed. R. Civ. P. 26(e).

4. **Rule 26(a)(1)(A)(iv).** For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Nothing to be disclosed at this time. BANA's investigation is continuing, and if there are any required disclosures under this category they will be disclosed via supplementary disclosures under Fed. R. Civ. P. 26(e).

Dated: May 29, 2019

Respectfully submitted,

/s/ Matthew Durham

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**ATTORNEY FOR DEFENDANT
BANK OF AMERICA, N.A.**

CERTIFICATE OF SERVICE

The undersigned certifies that on May 29, 2019, a true and correct copy of the foregoing document was electronically filed with the clerk of the United States District Court, Southern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys registered for service in the court's ECF system for this case.

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